

SN 10/650,197
Docket No. S-100,576
In Response to Office Action dated August 3, 2006

REMARKS

Applicants appreciate the courtesy shown by the Office, as evidenced by the Final August 3, 2006, Office Action, the October 16, 2006, Advisory Action, and the November 1, 2006, telephone interview with Examiner Karie O'Neill. In the Final Office Action, the Examiner rejected Claims 1-12. As such, Claims 1-12 remain in the case with none of the claims being allowed.

The Final Office Action, Advisory Action, and interview have been carefully considered. After such consideration, Claims 1 and 6 have been amended and a Request for Continuing Examination (RCE) is submitted herewith. Applicants respectfully request reconsideration of the application in light of the accompanying amendment and remarks – both of which reflect the content of the November 1 interview – presented herein.

Claims 1-3, 5-6, and 9-12 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Iwase (U.S. Patent 6,656,618) in view of Xie et al. (U.S. Patent 6,646,418). The Examiner states that Xie et al. disclose a stack of fuel cells in which a controller monitors individual cell voltage and “indicates if one or more of the individual cell voltages has reached a preset level and prevents operation of the fuel cell system in the negative potential region.”

Claims 1 and 6 have been amended to recite the limitation that the voltage monitoring circuit measures monitors whether any of the individual fuel cell voltages are below an operating point voltage and are in danger of reversal to a negative potential.

Applicants submit that, in order to establish a *prima facie* case of obviousness, the combination of references cited must either teach or suggest all of the limitations of the claimed invention. Accordingly, Applicants submit that, as discussed in the November 1 interview, neither Iwase nor Xie et al. teach or suggest monitoring individual fuel cell voltages to determine whether any of the individual fuel cell voltages are below an operating point voltage *and* are in danger of reversal to a negative potential.

As noted by the Examiner in the August 3 Final Office Action, Iwase neither teaches nor suggests a voltage monitoring circuit that monitors whether any of the individual fuel cell voltages falls below an operating point voltage or are in danger of reversal to a negative potential.

Applicants submit that while Xie et al., in column 3, lines 23-27, teach monitoring individual fuel cell voltages, comparing the voltages to a preset reference voltage, and

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disconnecting the load in response to the voltage falling below the present voltage, the reference neither teaches nor suggests monitoring individual fuel cell voltages to determine whether any of the individual fuel cell voltages are below an operating point voltage *and* are in danger of reversal to a negative potential.

Because the combination of Iwase and Xie et al. fails to teach or suggest monitoring individual fuel cell voltages to determine whether any of the individual fuel cell voltages are below an operating point voltage and are in danger of reversal to a negative potential, Applicants submit that the rejection of Claims 1-3, 5-6, and 9-12 under 35 U.S.C. §103(a) as being unpatentable over Iwase in view of Xie et al. is successfully overcome.

Claim 4 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Iwase in view of Xie et al., and in further view of Rajashekara (U.S. Patent 6,321,145).

Claim 7 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Iwase in view of Xie et al., and in further view of Fuglevand (U.S. Patent 6,497,974).

Claim 8 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Iwase in view of Xie et al., and in further view of Bourlikov (U.S. Published Application 2004/0174072).

Claim 4 depends from independent Claim 1, whereas Claims 7 and 8 depend from independent Claim 6, and thus include all of the limitations of their respective base claims by reference. As previously presented, neither Iwase nor Xie et al. teach or suggest monitoring individual fuel cell voltages to determine whether any of the individual fuel cell voltages are below an operating point voltage *and* are in danger of reversal to a negative potential, as recited in amended Claims 1 and 6. Applicants further submit that neither Rajashekara, nor Fuglevand, nor Bourlikov teach or suggest this limitation as well. Therefore, the rejections of Claims 4, 7, and 8 under 35 §U.S.C. 103 as being unpatentable over Iwase in view of Xie et al. and in further view of Rajashekara, Fuglevand, and Bourlikov, respectively, are successfully overcome.

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In light of the amendment and remarks presented herein, Applicants submit that the case is in condition for immediate allowance and respectfully request such action. If, however, any issues remain unresolved, the Examiner is invited to telephone Applicants' counsel at the number provided below.

Respectfully submitted,

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